

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>KATIE L. COSTELLO,</b>	)	<b>CASE NO.:</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE:</b>
	)	
<b>v.</b>	)	
	)	
<b>US DEPARTMENT OF EDUCATION, ALLTRAN EDUCATION, INC.</b>	)	<b><u>NOTICE OF REMOVAL</u></b>
	)	
<b>Defendants.</b>	)	

Now comes the Defendant, United States Department of Education ("DOE"), by and through Justin E. Herdman, United States Attorney for the Northern District of Ohio, and Alex Rokakis, Assistant United States Attorney, and Karen Swanson Hann, Assistant United States Attorney, and respectfully state as follows:

1. This Notice of Removal is filed pursuant to 28 U.S.C. §§ 1441(a) and 1442, for disposition of Plaintiff's claims against the DOE, which are set forth in Trumbull County, Court of Common Pleas, Court Case No. 2019 CV 00427, captioned Katie L. Costello vs. US Department of Education, et al. (See Ex. A: Complaint, attached hereto.)

2. Plaintiff has named the United States Department of Education (DOE) an agency of the United States, as a defendant in the within action. Plaintiff alleges a cause of action premised upon an alleged violations of the Fair Debt Collection Practices Act ("FDCPA"), 15

U.S.C. § 1692, et seq. and the Ohio Consumer Sales Practices Act, R.C. § 1345.01, et seq. ("OCSPA"), all of which prohibit entities from engaging in abusive, deceptive, and unfair practices. (Ex. A: Compl.)

3. On or about March 11, 2019, DOE received notice of Plaintiff's Complaint.

4. This action involves an issue of federal law and has been brought against a federal agency. Therefore, this action may be removed to the United States District Court for the Northern District of Ohio, pursuant to 28 U.S.C. §§ 1441(a) and 1442(a)(1).

5. This Notice of Removal is filed on April 5, 2019. Thus, this notice is timely and proper in accordance with the provisions of 28 U.S.C. § 1446(b).

6. A copy of this notice will promptly be served on all adverse parties and filed with the Clerk of Court for the Trumbull County, Court of Common Pleas pursuant to 28 U.S.C. § 1446(d).

7. The filing of this Notice of Removal does not reflect Defendant's intent to waive any service of process and defenses.

Respectfully submitted,

JUSTIN E. HERDMAN  
UNITED STATES ATTORNEY  
NORTHERN DISTRICT OF OHIO

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*Attorneys for Defendant United States, Department of Education*

**CERTIFICATE OF SERVICE**

I hereby certify that this *Notice of Removal* was filed electronically through the Court's electronic docketing system. A true and accurate copy of the Notice of Removal was served, via regular U.S. Mail, postage pre-paid, this 05th day of April, 2019, upon:

ANDREW W SUHAR  
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*Counsel for Plaintiff*

and

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*Defendant*

/s/ Alex Rokakis  
Alex Rokakis  
Assistant United States Attorney